

FILED

AUG 29 2007

[Signature]
CLERK

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

RAMON GUEL, Jr.,

Petitioner,

-vs-

WARDEN WHITEHEAD, Warden,
Federal Prison Camp,

Respondent.

CIV 07-4069

AMENDED ORDER ALLOWING
PETITIONER TO PROCEED
IFP ON APPEAL

Petitioner, Ramon Guel, Jr., moves for permission to appeal in forma pauperis in this habeas case filed under 28 U.S.C. § 2241. (Doc. 31.) Guel filed a Notice of Appeal on July 31, 2007. (Doc. 27.) Guel did not apply for pauper status in the proceedings before this Court, but the filing fee was only \$5.00 as compared to appellate docketing and filing fees of \$455.00. It appears from the Prisoner Trust Account Report that the average monthly deposits to Guel's prisoner trust account for the past six months was \$90.28, that his average monthly balance for the past six months was \$11.13 and that he has a balance of \$45.26. Guel is not able to pay the \$455.00 filing fee, and he is entitled to proceed in forma pauperis. Accordingly,

IT IS ORDERED that Petitioner's motion to proceed on appeal in forma pauperis (Doc. 31) is granted.

Dated this 29th day of August, 2007.

BY THE COURT:

[Signature]
Lawrence L. Piersol
United States District Judge

ATTEST:

JOSEPH HAAS, CLERK,

BY: *[Signature]*
(SEAL) DEPUTY